

**FRENCHTOWN CHARTER TOWNSHIP
RETIREE HEALTH, DENTAL AND VISION PLAN ORDINANCE
Ord. No. 169; Date of Adoption: June 1994**

An Ordinance to establish procedures for continuation of medical, dental and vision insurance for eligible retired employees and retired Board Members and to repeal all ordinances or parts of ordinances in conflict herewith.

THE CHARTER TOWNSHIP OF FRENCHTOWN HEREBY ORDAINS:

Section 1. Title.

This Ordinance shall be known as the Frenchtown Charter Township Retiree Health, Dental and Vision Plan Ordinance.

Amended by Ordinance No. 169-6, December 15, 2015.

Section 2. Continuation of Specified Benefits For Eligible Retired Employees.

Upon termination of service or termination of employment from Frenchtown Charter Township, retired board members and retired union or non-union employees who qualify as set forth in Section 3 of this Ordinance shall be eligible for continued medical and/or dental insurance benefits but only to the extent that such benefits are then in effect, or are subsequently amended, for then, and subsequent, Frenchtown Charter Township employees and board members. These benefits shall be offered to qualified retired employees and board members on the same terms and conditions that would have been in effect if the employment relationship were not terminated, including required contributions on the part of participants. These benefits shall be offered only to those employees and board members whose employment or term of office terminates on or after the effective date of this Ordinance, subject to the terms and conditions set forth in this Ordinance.

Benefits shall be available to eligible retired employees upon meeting eligibility requirements at the time of retirement so long as benefits are still offered pursuant to this Ordinance at the time that benefits are sought and so long as the provider permits such participation. Such benefits shall be available during annual open enrollment periods or upon the occurrence of a qualifying event.

Amended by Ordinance Amendment No. 169-4, July 11, 2006.

Amended by Ordinance Amendment No. 169-8, September 26, 2023.

Section 3. Basic Eligibility Requirements.

In order to be eligible for continued health, dental and vision insurance, the retired employee or Board Member must meet all of the requirements of either A, B or C:

- A.1 Must have accumulated eighty (80) points, as of the date that his or her term of office or employment terminates, based upon the following formula: one point

shall be allocated for each year of service as a Board Member and/or employment as a union or non-union employee working thirty (30) or more hours per week and one point shall be allocated for each year of age of the employee or Board Member. Years of service or employment shall be measured from the date the Board Member first commences service or the date the employee first commences employment and each anniversary thereof. With regard to an employee or Board Member with 20 years of non-continuous service or employment with the Township, years of age shall be measured by the actual age of the employee or Board Member at the date employment or service last terminates less the number of years that the employee or Board Member was not in the employ or service of the Township following the employee's or Board Member's first period of service or employment with the Township; and

2. Must have a total of at least twenty (20) years, of service as a Board Member or employment with the Township as a union or non-union employee working thirty (30) or more hours per week which is not required to be continuous and may be prior to or subsequent to the effective date of the Ordinance; and
 3. Must be eligible to receive benefits offered under this Ordinance as amended and have at least four years of continuous and uninterrupted service at time of termination of employment or service.
- B.1. Must have accumulated seventy-five (75) points, as of the date that his or her term of office or employment terminates, based upon the following formula: one point shall be allocated for each year of service as a Board Member or employment as a union or non-union employee working thirty (30) or more hours per week and one point shall be allocated for each year of age of the employee or Board Member. Years of service or employment shall be measured from the date the Board Member first commences service or the date the employee first commences employment and each anniversary thereof. With regard to an employee or Board member with 20 years of non-continuous service or employment with the Township, years of age shall be measured by the actual age of the employee or Board Member at the date employment or service last terminates less the number of years that the employee or Board Member was not in the employ or service of the Township following the employee's first period of service or employment with the Township; and
2. Must have a total of at least twenty (20) years, of service as a Board Member or employment with the Township as a union or non-union employee working thirty (30) or more hours per week which is not required to be continuous and may be prior to or subsequent to the effective date of the Ordinance, and
 3. Must be eligible to receive benefits offered under this Ordinance as amended, be at least 55 years of age and have at least four years of continuous and uninterrupted service at time of termination of employment or service.

Amended by Ordinance 169-2, June 13, 2000.
Amended by Ordinance Amendment No. 169-4, July 11, 2006.
Amended by Ordinance No. 169-5, November 13, 2007.
Amended by Ordinance No. 169-6, December 15, 2015.
Amended by Ordinance Amendment No. 169-8, September 26, 2023.

Section 4. Persons Eligible.

1. The benefits offered to retired employees or Board Members under this Ordinance shall be offered only to the following individuals:
 - A. Retired Supervisors, Treasurers and Clerks who held office on or before August 1, 2023.
 - B. Retired non-union employees who were employed by the Township on or before August 1, 2023.
 - C. Retired Trustees who held office with the Township on or before December 31, 1999
 - D. Retired full-time employees of the Frenchtown Charter Township Fire Department who are entitled to benefits pursuant to the Collective Bargaining Agreement between Frenchtown Charter Township and Local 3233 of the International Association of Firefighters.
 - E. Spouses of eligible retired Supervisors, Treasurers and Clerks who are eligible for benefits.
 - F. Spouses of eligible retired non-union employees who are eligible for benefits.
 - G. Spouses of eligible retired Trustees who were in office on or before December 31, 1999 and who are eligible for benefits.
 - H. Spouses of eligible full-time employees of the Frenchtown Charter Township Fire Department who are entitled to benefits pursuant to the Collective Bargaining Agreement between Frenchtown Charter Township and Local 3233 of the International Association of Firefighters at time of retirement by retiree.

2. Coverage for the eligible spouse of a retired Supervisor, Treasurer, Clerk, union or non-union employee or Trustee shall apply only to an individual married to the retiree as of the date of retirement. Coverage for the spouse of a retired Supervisor, Treasurer, Clerk, union or non-union employee or Trustee who was in office on or before December 31, 1999, shall cease upon divorce from eligible person. Further, if the spouse of the said deceased retired Supervisor, Treasurer, Clerk, union or non-union employee or Trustee who was in office on or before December 31, 1999, remarries, benefits shall not extend to other members of the surviving spouse's family.

Amended by Ordinance No. 169-2, June 13, 2000.
Amended by Ordinance Amendment No. 169-4, July 11, 2006.
Amended by Ordinance Amendment No. 169-7, September 27, 2022.
Amended by Ordinance Amendment No. 169-8, September 26, 2023.

Section 5. Retiree Eligibility Committee.

There is hereby created a “Retiree Eligibility Committee”, which shall consist of three members of the Township Board. The Committee members shall be appointed annually by the Township Board, upon recommendation by the Township Supervisor. Each Committee member’s term shall commence on January 1 and expire on December 31 of the same calendar year. The Committee’s purpose shall be to review and decide whether an individual is entitled to benefits under this Ordinance.

Amended by Ordinance No. 169-6, December 15, 2015.

Section 6. Supplemental to Medicare Coverage.

If an individual eligible to receive benefits under this Ordinance is also eligible to receive Medicare benefits, the medical coverage available under this Ordinance shall only be supplemental to such Medicare coverage.

Section 7. Waiver of Benefits Program Inapplicable.

Retired employees and retired board members who are eligible for benefits under this Ordinance may not participate or otherwise benefit from any "Waiver of Benefits" program providing cash in lieu of health coverage now or hereafter in effect for Frenchtown Charter Township employees or Board members.

Section 8. Reservation of Right to Amend and/or Terminate.

Frenchtown Charter Township reserves the right to amend and/or terminate this plan and the benefits offered pursuant to this Ordinance at any time. This Ordinance and the Plan shall not create any right to have the benefits contemplated hereunder continued on the part of any current or future:

1. Union or Non-Union Employee;
2. Board Member;
3. Retiree;
4. Spouse of any employee, Board Member or Retiree

Notice of the proposed amendment and/or termination of the Plan and/or the benefits offered pursuant to this Ordinance shall be provided to each insured by certified mail return receipt requested. Such notice shall be provided to the last known address of the insured, no less than 10 days prior to action by the Board as to the proposed amendment and/or termination of the Plan or the benefits offered.

Amended by Ord. No. 169-3, November 12, 2002.

Amended by Ordinance No. 169-4, July 11, 2006.

Section 9. Repeal of Conflicting Ordinances.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 10. Effective Date.

This Ordinance shall take effect immediately after passage and publication in the Monroe Guardian a newspaper having general circulation in the Charter Township of Frenchtown, County of Monroe.

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